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The motion for leave to file under seal is  
GRANTED.

The Clerk of Court is directed to terminate the  
motion at Dkt. 30.

September 11, 2024

SO ORDERED.



Arun Subramanian, U.S.D.J.  
Dated: September 13, 2024

**VIA ECF**

The Honorable Arun Subramanian  
United States District Court  
Southern District of New York  
500 Pearl Street, Courtroom 15A  
New York, NY 10007

Re: *Employees Retirement System for the City of Providence v. Board of  
Governors of the Federal Reserve System*, No. 1:24-mc-349-AS (S.D.N.Y.) –  
Letter Motion To File Under Seal.

Dear Judge Subramanian,

We represent Petitioner Employees Retirement System for the City of Providence (“Petitioner”). Pursuant to Rule 11(C)(ii)-(iii) of Your Honor’s Individual Practices in Civil Cases, Petitioner respectfully submits this letter motion requesting (i) to file under seal certain exhibits to the Reply Affirmation of Jeremy Robinson in Further Support of Motion for Summary Judgment on Administrative Procedures Act Review and in Opposition to Respondent’s Cross Motion for Summary Judgment (Exs. N, O, Q. and R), (ii) to file with redactions certain exhibits to the Robinson Affirmation (Exs. P and S) (together, the “Proposed Sealed Exhibits”), and (iii) to file redacted portions of its attached Reply in Support of Motion for Summary Judgment on Administrative Procedures Act Review and in Opposition to Respondent’s Cross Motion for Summary Judgment (the “Reply”). Petitioner conferred with Credit Suisse AG, who has designated the documents as confidential in the underlying action, and they do not oppose this request.

The reasons sought for sealing are the same as in the motion seeking leave to file a miscellaneous action under seal, granted by Judge Ronnie Abrams on July 29, 2024. 24-mc-340, Dkt. 3. The stipulated protective order in the underlying action prohibits Petitioner from publicly disclosing documents and deposition testimony that have been marked as confidential by the producing party. Robinson Affirmation (Dkt. 6), Exhibit A at Exhibit B at 14. Credit Suisse Group AG has marked the Proposed Sealed Exhibits as confidential on the grounds that the Proposed Sealed Exhibits contain sensitive and confidential business information. *Kewazinga*

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*Corp. v. Microsoft Corp.*, No. 1:18-CV-4500-GHW, 2021 WL 1222122, at \*6 (S.D.N.Y. Mar. 31, 2021) (holding that courts recognize confidential business information to be appropriate basis to seal).

Petitioner seeks to file under seal the Proposed Sealed Exhibits, which contain information that has been designated as confidential in the underlying litigation, *Employees Retirement System for the City of Providence vs. Urs Rohner et al.*, Docket No. 651657/2022 (N.Y. Sup Ct. Apr. 26, 2022). Accordingly, Petitioner moves to file under seal to comply with the protective order entered in the underlying litigation. Petitioner also seeks to redact those portions of the Reply which discuss the Proposed Sealed Exhibits in a way that could reveal protected information.

Petitioner respectfully requests that the Court permit the Motion and Proposed Sealed Exhibits to be filed in redacted and sealed form. Pursuant to the Court's Individual Practices in Civil Cases, Petitioner will file through the ECF system Exhibits N, O, P, Q, R, and S under seal and electronically relate them to this Letter Motion. Petitioner will also file its Reply with the proposed redactions applied and will simultaneously file under seal a copy of the Reply with the proposed redactions highlighted.

Respectfully submitted,

/s/ Jeremy P. Robinson

Jeremy P. Robinson

cc: All Counsel of Record (by ECF)